

REMARKS

Claims 1-12 and 23-32 are pending in this application. By this Amendment, claims 1, 3, 4 and 10 are amended for clarity, and new claims 23-32 are added. Various amendments are made to the claims for clarity and are unrelated to issues of patentability.

The Office Action dated August 28, 2003 rejected claims 1-12 under 35 U.S.C. §103(a) over U.S. Patent 5,995,069 to Tokunaga et al. (hereafter Tokunaga) in view of U.S. Patent 6,229,516 to Kim et al. (hereafter Kim). The Decision on Appeal dated May 26, 2005 reversed this rejection. See page 7 of the Decision on Appeal.

The Decision on Appeal makes a new ground of rejection for claims 1 and 7 pursuant to 37 C.F.R. §41.50(b). Remaining claims 2-6 and 8-12 were not rejected and therefore are considered to be allowable over the prior art. As specifically stated in 37 C.F.R. §41.50(b), the new ground of rejection shall not be considered final.

In accordance with 37 C.F.R. §41.50(b)(1), applicant is entitled to reopen prosecution. The Decision on Appeal rejects claims 1 and 7 under 35 U.S.C. §102(e)(2) based on the alleged admitted prior art FIG. 4. The rejection is respectfully traversed.

Applicant respectfully submits that FIG. 4 is labeled “Conventional Art” and is not labeled as “Prior Art.” Therefore, this figure has not been admitted to be prior art.

The Decision on Appeal generally states that there is no link between “an asymmetry sustaining” in the preamble of claim 1 and the limitation “in such a manner to overlap with the upper driving signal.” In particular, the Office Action appears to state that the asymmetry sustaining previously recited within the preamble of claim 1 is not a claim limitation.

Independent claim 1 is hereby amended for clarity to recite “applying a lower driving signal...in such a manner to overlap with the upper driving signal and to utilize asymmetric sustaining.”

The application clearly supports these features and this should obviate the concerns outlined in the Decision on Appeal.

Applicant respectfully submits that Figure 4 of the present application does not teach or suggest the upper driving signal and the lower driving signal are overlapped so as to utilize asymmetric sustaining. The signal “X TOP” and the signal “X BOTTOM” are not overlapped to utilize asymmetric sustaining. Rather, these signals are symmetric with respect to each other. Thus, the rejection based on the alleged admitted prior art FIG. 4 should be withdrawn at least for this reason.

In view of the reopening of the prosecution under 37 C.F.R. §41.50(b)(1), applicant has added new claims 23-32, which are fully supported by the present specification. No new matter is added. Applicant respectfully submits that independent claim 25 also defines patentable subject matter over the previously applied references and the alleged admitted prior art FIG. 4.

More specifically, the applied references do not teach or suggest a controller controlling the first address driver and the second address driver in order to partially overlap the first driving signal and the second driving signal as recited in independent claim 25. Independent claim 25 therefore defines patentable subject matter.

Claims 7 and 23 depend from claim 1, claim 24 depends from claim 9, claims 26-32 depend from claim 25 and therefore define patentable subject matter at least for this reason.

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CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-12 and 23-32 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **David C. Oren**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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